

## NATIONAL SECURITY COUNSELORS

4702 LEVADA TERRACE  
ROCKVILLE, MD 20853

TELEPHONE: (301) 728-5908  
FACSIMILE: (240) 681-2189

KEL MCCLANAHAN, ESQ., EXECUTIVE DIRECTOR (admitted in DC, NY, WA)  
EMAIL: KEL@NATIONALSECURITYLAW.ORG  
BRADLEY P. MOSS, ESQ., DEPUTY EXECUTIVE DIRECTOR (admitted in DC, IL)

1 May 2024

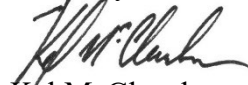
Hon. Jesse M. Furman  
United States District Court for the Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square  
New York, NY 10007

Re: *United States v. Schulte*, Case No. 17-Cr-548

Dear Judge Furman:

On behalf of Intervenor emptywheel, LLC, I write in response to the Government's letter motion<sup>1</sup> filed today as [Dkt. #1140](#) seeking an extension of the Court's previously ordered deadlines regarding the unsealing of certain transcripts. Since the Court has already issued a ruling on the Government's motion, I will not state a position on that motion, but we do wish to lodge an objection to the fact that the Government only attempted to meet and confer with Defendant's counsel, while making no attempt to communicate with me to ascertain our position, and accordingly making no mention of our position—or even if we had one—in its motion, when emptywheel was the intervening party opposing the Government's efforts to keep these records sealed.<sup>2</sup> As such, we believe that, as long as emptywheel is an Intervenor in this case for the purposes of unsealing these records, we should be consulted before the Government seeks any further relief with respect to these records, and that our position should be accordingly reported to the Court.

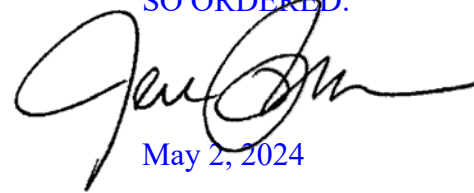
Sincerely,



Kel McClanahan  
Counsel for Intervenor emptywheel

Intervenor's point is well taken. Before seeking any further related relief (which must be made, in accordance with the Court's Individual Rules and Practices, by letter-motion, not ordinary letter), the Government shall first confer with Intervenor and advise the Court of their positions, if any.

SO ORDERED.



May 2, 2024

<sup>1</sup> The document was filed as a letter, not a letter motion, but this was clearly a filing error. However, due to that error, I was forced by the CM/ECF system to file this response to a letter motion as a standard letter, since the system did not treat the Government's filing as a letter motion capable of being responded to.

<sup>2</sup> I have also confirmed that the Government did not attempt to meet and confer with Inner City Press either.